

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CHRISTOPHER M. HANEY,

Civil No. 08-4847 JMR/SRN

Plaintiff,

v.

ORDER

LYNN DINGLE, Warden,

Defendant.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated September 23, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: October 15, 2008.

s/James M. Rosenbaum  
Judge James M. Rosenbaum  
United States District Court Judge